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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 THE BANK OF NEW YORK  
9 MELLON AS TRUSTEE FOR THE  
10 BENEFIT OF THE CERTIFICATE  
11 HOLDERS OF THE CWABS, INC.,  
12 ASSET-BACKED CERTIFICATES,  
13 SERIES 2007-SD1 FKA THE BANK  
14 OF NEW YORK,

11 Plaintiff,

12 v.

13 KAREN D. SMITH, et al.,

14 Defendants.

C18-764 TSZ

MINUTE ORDER

15 The following Minute Order is made by direction of the Court, the Honorable  
16 Thomas S. Zilly, United States District Judge:

17 (1) Defendants' Motion for Entry of Judgment, docket no. 26, which Plaintiff  
18 has not opposed, is GRANTED in part. Pursuant to Federal Rule of Civil Procedure  
19 58(d), the Court will enter in a separate document a judgment regarding Defendants'  
20 entitlement to attorney's fees as described in the Court's November 11, 2018, Minute  
21 Order, docket no. 24. Defendants' request for a separate judgment regarding the Court's  
22 October 17, 2018, Order granting Defendants' motion to dismiss, docket no. 16, is  
23 DENIED. Due to Plaintiff's filing of a notice of appeal, docket no. 20, from the  
dismissal order, the Court lacks jurisdiction over that aspect of the case. *See Griggs v.*  
*Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982) ("The filing of a notice of  
appeal is an event of jurisdictional significance—it confers jurisdiction on the court of

1 appeals and divests the district court of its control over those aspects of the case involved  
2 in the appeal.”).

3 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of  
4 record.

5 Dated this 8th day of April, 2019.

6 William M. McCool

Clerk

7 s/Karen Dews

8 Deputy Clerk  
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